IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4846 OF 2006

Kalpesh Nandkumar Gaikwad. ...Petitioner

V/s.

State of Maharashtra & Ors. ...Respondents

Mr.R.K. Mendadkar and Ms.Helen K. Mandlik for the Petitioner.
Mr.C.R. Sonawane, Assistant Government Pleader, for the Respondents.

CORAM : H.S. BEDI, C.J. &,
V.M. KANADE, J.

DATED: 16TH OCTOBER, 2006.

P.C. :-

1. Heard the learned Advocate for the petitioner.

2. In our opinion, in view of the findings that have been recorded by the Scrutiny Committee, no interference is called for. However, it has been pointed out by the petitioner's Counsel that as the petitioner had taken admission in the Engineering Course, no action should be taken against him at this stage and that the petitioner will file an undertaking that he will not take advantage of the caste certificate at any further stage. We accordingly direct that the undertaking be filed within two weeks from today.

3. We have also heard the learned Assistant Government Pleader, at this juncture. We observe that the seat will go waste if the petitioner is unseated. We accordingly dispose of this matter and direct that the petitioner's admission be protected till he completes his degree in Engineering, on conditions pleaded by his Counsel.

4. Petition is disposed of.

CHIEF JUSTICE

V.M. KANADE, J.